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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,916	10/31/2003	David S. Benco	LUTZ 2 00252	2996

48116 7590 06/23/2006	EXAMINER	
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ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/698,916	BENCO ET AL.
	Examiner	Art Unit	
	Sharad Rampuria	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *10 April 2006*.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-33* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-33* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

I.   The Art Unit location of this application in the USPTO has changed. To aid in

correlating any papers for this application, all further correspondence regarding this application

should be directed to Art Unit 2617.

II.   The current office-action is in response to the amendments/remarks filed on 04/10/2006.

Accordingly, Claims 1-33 are pending for further examination as follows:

Claim Rejections - 35 USC § 102

III.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

IV.   Claims 1-3, 5-7 & 10-11, 12-14, 16-18, 21-22, 23-25, 27-29, 32-33, are rejected under 35

U.S.C. 102 (b) as being anticipated by Lazaridis et al. [US 6389457].

As per claim 1, Lazaridis teaches:

A system providing reminders and alerting to mobile station subscribers for selected

events (i.e. a system and method for pushing information from a host system to a mobile data

communication device upon sensing a triggering event is disclosed; Abstract), the system

comprising:

A subscriber database having stored therein subscriber information, event data, event

occurrence data, and alert time data; (i.e. User-selected data items preferably include E-mail

messages, calendar events, meeting notifications, address entries, journal entries, personal alerts,

alarms, warnings, stock quotes, news bulletins, etc., but could, alternatively, include any other

type of message that is transmitted to the host system 10, or that the host system 10 acquires

through the use of intelligent agents, such as data that is received after the host system 10

initiates a search of a database or a website or a bulletin board; 10; Fig.1, Col.6; 63-Col.7; 13)

An event input module associated with a switching center, the event input module being

operative to receive the event data, the occurrence data and the alert time data from a mobile

station and store the event data, the event occurrence data, and the alert data separably and in

association in the subscriber database; (i.e. FIG. 2 is an alternative system diagram showing *the*

redirection of user data items from a network server 11 to the user's mobile data

communication device 24, where the redirector software 12 is operating at the server 11. This

configuration is particularly advantageous for use with message servers such as

Microsoft's.RTM. Exchange Server, which is normally operated so that all user messages are

kept in one central location or mailbox store on the server instead of in a store within each user's

desktop PC. This configuration has the additional advantage of allowing a single system

administrator to configure and keep track of all users having messages redirected. If the system

includes encryption keys, these too can be kept at one place for management and update

purposes; 11; Fig.2, Col.9; 27-40, Col.7; 38-52, Col.12; 32-45)

An event monitoring module operative to monitor the event data, the event occurrence data and the alert time data stored in the subscriber database; (i.e. the redirector program 12 to push certain user-selected data items to the user's mobile data communication device 24 when the redirector 12 detects that a particular user-defined event trigger (or trigger point) has taken place; 12; Fig.1, Col.6; 63-Col.7; 13) and,

An event notification module operative to provide a network initiated call to the mobile station based on monitoring by the event-monitoring module. (i.e. the redirector program 12 to push certain user-selected data items to the user's mobile data communication device 24 when the redirector 12 detects that a particular user-defined event trigger (or trigger point) has taken place; 12; Fig.1, Col.6; 63-Col.7; 13)

As per claim 2, Lazaridis teaches:

The system as set forth in claim 1 wherein the event data comprises one of audio data and text data corresponding to a description of an event. (i.e. By way of example, consider an E-mail sent to a user that includes three attachments--a word processing document, a video clip and an audio clip. The redirection program could be configured to send the text of the E-mail to the remote device, to send the word processing document to a networked printer located near the user, to send the video clip to a store accessible through a secure connection through the internet and to send the audio clip to the user's voice mail system; Col.6; 27-35)

As per claim 3, Lazaridis teaches:

The system as set forth in claim 2 wherein the event is a recurring event. (Col.6; 63-Col.7; 13)

As per claim 5, Lazaridis teaches:

The system as set forth in claim 1 wherein the event occurrence data comprises text data. (i.e. By way of example, consider an E-mail sent to a user that includes three attachments--a word processing document, a video clip and an audio clip. The redirection program could be configured to send the text of the E-mail to the remote device, to send the word processing document to a networked printer located near the user, to send the video clip to a store accessible through a secure connection through the internet and to send the audio clip to the user's voice mail system; Col.6; 27-35)

As per claim 6, Lazaridis teaches:

The system as set forth in claim 1 wherein the subscriber database further includes alert preference data corresponding to a subscriber preference on a form of alert. (Col.6; 63-Col.7; 13)

As per claim 7, Lazaridis teaches:

The system as set forth in claim 6 wherein the alert preference data comprises one of text data and voice data. (i.e. By way of example, consider an E-mail sent to a user that includes three attachments--a word processing document, a video clip and an audio clip. The redirection program could be configured to send the text of the E-mail to the remote device, to send the word processing document to a networked printer located near the user, to send the video clip to

a store accessible through a secure connection through the internet and to send the audio clip to

the user's voice mail system; Col.6; 27-35)

As per claim 10, Lazaridis teaches:

The system as set forth in claim 1 wherein the network initiated call comprises an

announcement. (Col.6; 63-Col.7; 13)

As per claim 11, Lazaridis teaches:

The system as set forth in claim 1 wherein the network initiated call comprises text data.

(i.e. By way of example, consider an E-mail sent to a user that includes three attachments--a

word processing document, a video clip and an audio clip. The redirection program could be

configured to send the text of the E-mail to the remote device, to send the word processing

document to a networked printer located near the user, to send the video clip to a store accessible

through a secure connection through the internet and to send the audio clip to the user's voice

mail system; Col.6; 27-35)

Claims 12-14, 16-18, 21-22 are the method claim corresponding to system claims 1-3, 5-

7, 10-11 respectively, and rejected under the same rational set forth in connection with the

rejection of claims 1-3, 5-7, 10-11 respectively, above. And *Claims 23-25, 27-29, 32-33* are the

system claim corresponding to system claims 1-3, 5-7, 10-11 respectively, and rejected under the

same rational set forth in connection with the rejection of claims 1-3, 5-7, 10-11 respectively,

above.

Claim Rejections - 35 USC § 103

V.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

VI.   Claims 4, 15, 26, are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lazaridis in view of Buhrmann et al. [US 5903845].

As per claims 4, 15, 26, Lazaridis teaches all the particulars of the claim except the event

occurrence data comprises data on a time and date of an event. However, Buhrmann teaches in

an analogous art, that the system as set forth in claims 1, 12, 23, wherein the event occurrence

data comprises data on a time and date of an event. (Col.6; 8-33) Therefore, it would have been

obvious to one of ordinary skill in the art at the time of invention to modify Lazaridis including

the event occurrence data comprises data on a time and date of an event in order to provide a

personal information manager for updating a telecommunication subscriber profile based on

information entered into the personal information manager.

VII.   Claims 8-9, 19-20, 30-31, are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lazaridis in view of Buhrmann as applied to claims above and further in view of Cloutier [US

6459913].

        As per claims 8, 19, 30, the above combinations teach all the particulars of the claim

except the event input module is further operative to translate voice data to text data. However,

Cloutier teaches in an analogous art, that the system as set forth in claims 1, 12, 23, wherein the

event input module is further operative to translate voice data to text data. (Col.9; 12-24)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention

to modify Lazaridis and Buhrmann including the event input module is further operative to

translate voice data to text data in order to provide a method of unified alerting device perform

various conversions such as voice-to-text and text-to-voice or information extracted for their

summaries so that messages received via text may be converted to voice and voice

communication converted to text and the subscriber may converse with another party regardless

of the capabilities of the device used.

        As per claim 9, 20, 31, the above combinations teach all the particulars of the claim

except the event input module is further operative to translate text data to voice data. However,

Cloutier teaches in an analogous art, that the system as set forth in claims 1, 12, 23, wherein the

event input module is further operative to translate text data to voice data. (Col.9; 12-24)

Response to Amendments & Arguments

VIII.   Applicant's arguments filed on 04/10/2006 have been fully considered but they are not

persuasive.

As per claim 1, in response to Applicant's argument that Lazaridis doesn't teach, "An

event input module associated with a switching center, the event input module being operative to

receive the event data, the occurrence data and the alert time data from a mobile station and store

the event data, the event occurrence data, and the alert data separably and in association in the

subscriber database;" it is noted that Lazaridis supports the assertion as, ***the redirection of user***

data items from a network server 11 to the user's mobile data communication device 24, where

the redirector software 12 is operating at the server 11. This configuration is particularly

advantageous for use with message servers such as Microsoft's.RTM. Exchange Server, which is

normally operated so that all user messages are kept in one central location or mailbox store on

the server instead of in a store within each user's desktop PC. This configuration has the

additional advantage of allowing a single system administrator to configure and keep track of all

users having messages redirected. If the system includes encryption keys, these too can be kept

at one place for management and update purposes. (Please perceive 11; Fig.2, Col.9; 27-40,

Col.7; 38-52, Col.12; 32-45) Hence, it is believed that ***Lazaridis still teaches the claimed***

limitations as network server is responsible for update and managing the messages or alerts

with synchronizing that also includes timing of the messages or alerts for example Microsoft's

Email Server has capability of updating the messages with time that can alert the user for

meeting or new emails on predefined time set by user.

In addition, Applicant's argues that claims are not anticipated; in response Lazaridis includes a network server, which sends data to the mobile. It is well known in the art that the server which transmit data to the mobile is included a switching center.

The above arguments also recites for the claims 12, 23, consequently the response is the same explanation as set forth above with regard to claim 1.

With the intention of that explanation, it is believed and as enlighten above, the refutation are sustained.

Conclusion

IX.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or *EBC@uspto.gov*.

Sharad Rampuria
Examiner
Art Unit 2617

GEORGE ENG
SUPERVISORY PATENT EXAMINER